

REMARKS

Applicants appreciate the thorough examination of the application that is reflected in the Office Action dated May 5, 2004. Applicants add new dependent claims 30-35, which are supported throughout the specification and drawings, for example, by the text paragraph [1031] at page 7 of the specification. Claims 1, 9-16, 29 and 30-35 are now pending in the application. Applicants respectfully request reconsideration of the application.

Art-based Rejections

The Office rejects claims 1, 14, 15 and 29 under 35 U.S.C. 103(a) as being unpatentable over Mansouri et al. (USPN 5,715,282) in view of Ramesh et al (US 5,363,407), rejects claim 16 under 35 U.S.C. 103(a) as being unpatentable over Mansouri et al. (USPN 5,715,282) in view of Ramesh et al (US 5,363,407) and further in view of Lazar (US 5,818,389), and rejects claims 9-13 under 35 U.S.C. 103(a) as being unpatentable over Mansouri et al. (USPN 5,715,282) in view of Ramesh et al (US 5,363,407) and further in view of Meyer et al (WO 00/72454). Applicants respectfully traverse these rejections for at least the following reasons.

Claims 1, 14, 15 and 29

Claim 1 relates to a method for mitigating adjacent channel interference (ACI) in a wireless communication system. Claim 1 requires:

determining a presence or absence of ACI in each of one or more frequency ranges in a pre-processed signal comprised of a desired signal component, wherein the *presence or absence* of ACI in the pre-processed signal is *determined via signaling from a transmitter*;

selecting a particular filter response from among a plurality of possible filter responses based on the determined presence or absence of ACI in each of the one or more frequency ranges; and

filtering the pre-processed signal with the selected filter response.
(Emphasis added.)

In rejecting original claim 8, the Office concedes that the Mansouri et al. reference fails to teach or suggest that “the *presence or absence* of ACI in the pre-processed signal is *determined via signaling from a transmitter*,” as required by each of the independent claims. To meet this

deficiency of the Mansouri et al. reference, the Office cites col. 1, lines 38-42 of the Ramesh et al. reference, which discusses that:

ACI is interference introduced at a receiver from a transmitter broadcasting at a frequency corresponding to an adjacent channel and is sometimes called adjacent channel `splatter`. (Emphasis added.)

The Office apparently asserts that this teaching of Ramesh et al. meets the limitation of "the presence or absence of ACI in the pre-processed signal is *determined via signaling from a transmitter*." Applicants acknowledge that Ramesh et al. disclose that ACI is interference introduced at a receiver from a transmitter. Ramesh et al.'s general teaching that ACI is introduced from a transmitter, in no way suggests that "the *presence or absence* of ACI in the pre-processed signal is *determined via signaling* from a transmitter."

Accordingly, Applicants respectfully submit that the cited references, taken alone or in combination, fail to teach or suggest, for example, that "the presence or absence of ACI in the pre-processed signal is *determined via signaling* from a transmitter," as recited in claim 1.

In addition, Applicants submit that the Office's interpretation of the term "signaling" is not consistent with an interpretation that would be understood by those skilled in the art. See MPEP §2111. Applicants submit that the Office is impermissibly interpreting the term "signaling" of original claim 8 in a manner that is not consistent with the specification. For example, paragraph [1031] at page 7, of the specification discusses that:

The presence or absence of ACI in the received signal may be detected or determined using various schemes. In one scheme, the presence of ACI is communicated via messages and/or signaling from a transmitter (e.g., a base station in the CDMA system) to a receiver (e.g., a terminal). For some system deployments, the system is aware of the particular CDMA channels being used, their center frequencies, whether or not ACI is present on any given CDMA channel, and the frequency locations of the ACI on each CDMA channel. ACI information (e.g., which may indicate whether or not there are active transmissions on adjacent CDMA channels for each active CDMA channel) may be conveyed to the terminal, for example, as a broadcast message on the Sync channel, via messaging during system configuration, or by some other means. Once the terminal is informed of the presence and frequency locations of the ACI, it can select the proper filter response for each CDMA channel to mitigate ACI. (Emphasis added.)

Applicants note that the claims should not be construed as being limited to this embodiment.

Accordingly, for at least this additional reason, Applicants respectfully submit that neither the cited portions the Mansouri et al. reference nor the other cited references taken alone or in combination, teach or suggest, for example, that "the *presence or absence* of ACI in the pre-processed signal is *determined via signaling* from a transmitter," as recited in claim 1. Because the cited references fail to teach or suggest at least the above recitations of claim 1, Applicants respectfully submit that claim 1 is patentable over the cited references. In addition, Applicants respectfully submit that dependent claims 9-14 and 30-32 are separately patentable at least by virtue of their dependency from independent claim 1, and also because those claims require other features that are neither taught nor suggested by the cited references. Applicants further submit that independent claim 29 and its dependent claims 33-35 are patentable for at least similar reasons.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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